

REMARKS

Applicant's undersigned counsel thanks Examiner Koehler for his very careful and thorough examination of the present application.

Claims 39, 44, 55 and 60 have been amended to correct minor typographical errors. Applicant has also added new claims 66-79, basis for which can be found in the application and claims as filed. No new matter has been entered.

The claims have been rejected on the ground of obviousness-type double patenting over the claims of U.S. Patent No. 6,287,704. Submitted herewith is a terminal disclaimer to overcome the obviousness-type double patenting rejection.

In prior submissions, applicant's undersigned counsel has inadvertently indicated claim 29 pending herein is a dependent claim, and argued that it should be allowed as depending from an allowable base claim. This is incorrect; claim 29 is actually an independent claim. However, claim 29 recites a corrosion protection "of about 100 to 1000 h in the salt spray test according to DIN 50021 SS or ASTM B 117-73 until first attack according to DIN 50961 Chapter 10," and is therefore submitted to be independently allowable for the same reasons as set forth with respect to claims 1, 14, 20 and 24 in the Amendment filed March 20, 2003. The undersigned apologizes for this error and for any confusion or inconvenience it may have caused the Examiner.

New claim 66 also recites a corrosion protection "of about 100 to 1000 h in the salt spray test according to DIN 50021 SS or ASTM B 117-73 until first attack according to DIN 50961 Chapter 10," and is therefore also submitted as being allowable for the same reasons mentioned above. All remaining new added claims depend from claim 66.

In the Office action mailed June 4, 2003 (paper No. 16), the Examiner remarked that the claims in the present application (and in Pat. No. 6,287,704) are directed to a process, conversion coating solution compositions, a concentrate and a conversion coating layer which

[do] not include (or utilize) any fluoride ion or any other fluorine-containing chemical species in order to satisfy the claimed requirement that "the chromium(III) is present in the form of at least one complex having ligand replacement kinetics more rapid than the fluoride replacement kinetics in chromium(III)-fluorocomplexes."

Office action, page 2.

This statement is not exactly correct. The above-quoted limitation, found in several of the claims in the present application (as well as in '704), **does not exclude** the presence of fluoride-containing species or fluoride ions from the bath, concentrate, conversion coating, etc. Rather, the above-quoted limitation requires that "chromium(III) is present in the form of at least one complex having ligand replacement kinetics more rapid than the fluoride replacement kinetics in chromium(III)-fluorocomplexes."

This claim language is not intended to, and indeed does not, foreclose the presence of any fluorine or fluoride species, nor does it even foreclose the presence of any chromium(III)-fluorocomplexes, which may be present; for example, they may be present as an impurity or as an anion additive.

In addition, it is noted that it may be desirable to add non-ionizing fluoro-organic compounds to the bath, concentrate, etc., for example fluoro-organic surfactants. These fluoro-organic species would not ionize in the bath solution and therefore would not interfere with the claimed ligand replacement kinetics for Cr(III)

because they contribute no ionic fluoride (F^-) to the bath solution to bind Cr(III) ions.

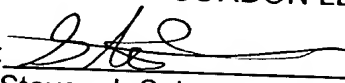
All that is required by the above-quoted claim language is that a sufficient quantity or concentration of a chromium(III) complex having the recited replacement kinetics is present in order to produce a Cr(III)-containing conversion layer that presents a corrosion protection of about 100 to 1000 hours until first attack.

It is believed all claims are now in condition for allowance and early notice to that effect is respectfully requested.

On April 11, 2003, applicant submitted a supplemental information disclosure statement with Form PTO-1449 listing a U.S. Patent reference (Matzdorf et al. #6,375,726) for consideration by the Examiner. In addition, applicant is submitting herewith a further supplemental information disclosure statement (with necessary fee) and attached Form PTO-1449 listing additional U.S. patent references and other documents for consideration by the Examiner. Consideration of all of the above by the Examiner is requested in the present application. It is further respectfully requested that the Examiner forward initialed copies of these PTO-1449 forms with his next communication to applicant.

If there are any additional fees resulting from this communication not covered by our enclosed check, please charge same to our Deposit Account No. 16-0820, our Order No. 31716US1.

Respectfully submitted,
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Date: December 2, 2003